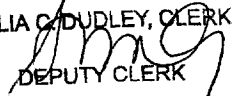


NOV 14 2011

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

UNITED STATES OF AMERICA,	)	CASE NO. 5:05CR00019
	)	(CASE NO. 5:11CV80371)
	)	
vs.	)	<u>FINAL ORDER</u>
	)	
	)	
MARK JAMES KONSAVICH,	)	By: Glen E. Conrad
	)	Chief United States District Judge
Defendant.	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED** as successive, and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

**ENTER:** This 14<sup>th</sup> day of November, 2011.

  
\_\_\_\_\_  
Chief United States District Judge